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*Attorneys for Defendant TMIF II Portola, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA  
ex rel. PEGGY THORNTON, Relator,

and

12 PEGGY THORNTON,

**Plaintiffs,**

15 | VS.

16 PORTOLA DEL SOL OPERATOR, LLC,  
17 14 a foreign limited-liability company;  
18 TMIF II PORTOLA, LLC, a foreign limited-  
19 liability company; APARTMENT  
MANAGEMENT CONSULTANTS, LLC,  
16 a foreign limited liability company, and  
RENE RICHARDSON, as AGENT of  
17 PORTOLA DEL SOL OPERATOR, LLC.

## Defendants.

Case No.: 2:21-cv-01123-APG-BNW

**STIPULATION AND ORDER TO  
EXTEND DEADLINE FOR TMIF II  
PORTOLA, LLC TO FILE REPLY IN  
SUPPORT OF MOTION TO DISMISS  
FOR FAILURE TO STATE A CLAIM  
FOR RELIEF [ECF 38]**

## [Second Request]

Under Local Rules IA 6-1 and 7-1, Defendant TMIF II Portola, LLC (“TMIF”) and Plaintiff Peggy Thornton (“Thornton”), by and through their attorneys, hereby agree, stipulate, and respectfully request that the Court extend the deadline for TMIF to file the Reply in Support of its Motion to Dismiss for Failure to State a Claim for Relief (“Reply”) from April 27, 2023, up to and including May 25, 2023.

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1           In support of this Stipulation, the parties state as follows:

2           1.       On June 14, 2021, Thornton filed this action under seal in the United States District  
3 Court for the District of Nevada, asserting a single claim for alleged violations of the False Claims  
4 Act. (ECF No. 1).

5           2.       The parties thereafter agreed to extend the deadline for TMIF to respond to  
6 Thornton's Complaint from March 10, 2023 to March 24, 2023. (ECF No. 30).

7           3.       On March 23, 2023, TMIF filed its Motion to Dismiss for Failure to State a Claim  
8 for Relief. (ECF No. 38).

9           4.       On April 6, 2023, Thornton filed her Opposition to TMIF's Motion to Dismiss for  
10 Failure to State a Claim for Relief ("Opposition"). (ECF No. 42).

11          5.       On April 10, 2023, Thornton and defendant Apartment Management Consultants,  
12 LLC ("AMC") stipulated to extend the deadline for AMC to file its responsive pleading. (ECF No.  
13 44).

14          6.       Under the April 10th stipulation, AMC and Plaintiff are discussing a potential global  
15 resolution of this matter. (*See* ECF No. 44).

16          7.       TMIF's counsel thus needs additional time to discuss with TMIF about the possibility  
17 of a potential global resolution of this matter.

18          8.       This is TMIF's second request to this Court for an extension of time to respond to  
19 Thornton's Opposition, the request is in good faith and not for the purposes of delay, and the  
20 requested extension will not prejudice any party.

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1           9. The parties stipulate and request that the Court extend the deadline for TMIF to file  
2 its Reply from April 27, 2023, up to and including May 25, 2023.

3 DATED this 24th day of April, 2023.

4 NEVADA LEGAL SERVICES, INC.

5           McDONALD CARANO LLP

6 By: /s/ Kristopher Pre

7           Elizabeth S. Carmona (NSBN 14687)  
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8           *Attorneys for Plaintiffs*

9 By: /s/ Tara U. Teegarden

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11           *Attorneys for Defendant TMIF II Portola, LLC*

12           **IT IS SO ORDERED.**

13           

14           UNITED STATES DISTRICT JUDGE

15           DATED: April 25, 2023